

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>JOSEPH T. PETERS,</b>	:	<b>CIVIL ACTION NO. 3:18-CV-1559</b>
	:	
<b>Plaintiff</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>ANDREW M. SAUL,<sup>1</sup></b>	:	
<b>Commissioner of Social Security,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

AND NOW, this 24th day of June, 2019, upon consideration of the report (Doc. 14) of Chief Magistrate Judge Susan E. Schwab, recommending that the court deny the appeal of plaintiff Joseph T. Peters (“Peters”), from the decision of the administrative law judge denying his application for disability insurance benefits and supplemental security income, and it appearing that Peters has not objected to the report, see FED. R. CIV. P. 72(b)(2), and the court noting that failure of a party to timely object to a magistrate judge’s conclusions “may result in forfeiture of *de novo* review at the district court level,” Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should afford “reasoned consideration” to the uncontested portions of the report, E.E.O.C. v. City of Long Branch, 866 F.3d 93,

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<sup>1</sup> Andrew M. Saul was sworn in as Commissioner of Social Security on June 17, 2019, and is automatically substituted as the defendant in this action. See FED. R. CIV. P. 25(d).

100 (3d Cir. 2017) (quoting Henderson, 812 F.2d at 879), in order to “satisfy itself that there is no clear error on the face of the record,” FED. R. CIV. P. 72(b), advisory committee notes, and, following independent review of the record, the court being in agreement with Judge Schwab that the decision of the administrative law judge is “supported by substantial evidence,” 42 U.S.C. § 405(g), and concluding that there is no clear error on the face of the record, it is hereby ORDERED that:

1. The report (Doc. 14) of Chief Magistrate Judge Schwab is ADOPTED.
2. The decision of the Commissioner denying Peters’ application for disability insurance benefits and supplemental security income is AFFIRMED.
3. The Clerk of Court shall enter judgment in favor of the Commissioner and against Peters as set forth in paragraph 2.
4. The Clerk of Court shall thereafter CLOSE this case.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania